

REMARKS

In response to the Advisory Action received on May 27, 2005 and in response to the Examiner Interview the morning of May 31, 2005, please consider the following remarks:

Examiner Interview

Per the Examiner interview between Raj V. Abhyanker and Examiner Jagdish Patel on the morning of May 31, 2005, Applicant and Examiner agreed that all claims as pending are in condition for allowance, at least because the amendments made in response to the Final Office Action mailed February 23, 2005 have addressed all of the Examiner's concerns with respect to objected and rejected claims.

Specifically, Applicant respectfully submits that independent claims 1, 26, 27 and 52 have been amended to include limitations from allowable dependent claims. Particularly, Applicant respectfully submits that independent claim 1 is allowable because it has been amended to include limitations from allowable dependent claim 5. Similarly, Applicant respectfully submits that independent claims 26 and 52 are allowable because they have been amended to include limitations from allowable dependent claim 5. In addition, Applicant respectfully submits that independent claim 27 is allowable because it has been amended to include limitations from allowable dependent claim 31. Therefore, Applicant respectfully requests that the Examiner allow independent claims 1, 26, 27 and 52.

In addition, Applicant respectfully requests that the Examiner allow dependent claims 2-4, 6-14, 28-30, 32-40, and 42-51 at least because they depend on an allowable independent claim. Therefore, Applicant respectfully submits that claims 1-4, 6-30 and 32-52 are all now in condition for allowance.

Applicant respectfully submits that new independent claims 53, 66, 79 and 80 are allowable at least because they each incorporate allowable subject matter. Particularly, new claim 53 includes all of the limitations of independent claim 1 and allowable dependent claim 13. New claim 66 includes all of the limitations of independent claim 27 and allowable dependent claim 39. New independent claims 79 includes all of the limitations of independent claim 26

RESPONSE TO ADVISORY ACTION UNDER 37 CFR § 1.116 – EXPEDITED PROCEDURE

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Serial Number: 09/747,204

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Title: METHOD AND SYSTEM FOR THE CREATION AND COMMUNICATION OF NOTES CONCERNING AN AUCTION
PARTICIPANT OR ITEM WITHIN A NETWORK-BASED AUCTION FACILITY

and allowable dependent claim 13. New independent claim 80 includes all of the limitations of independent claim 52 and allowable dependent claim 13.

In addition, Applicant respectfully submits that dependent claims 54-65 and 67-78 are allowable at least because they depend on an allowable independent claim. Therefore, Applicant respectfully submits that new claims 53-80 are allowable.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney 408-278-4043 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

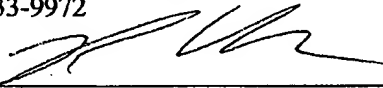
Respectfully submitted,

MICHAEL WILSON

By his Representatives,

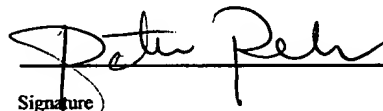
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408-333-9972

Date 5/31/05

By 
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 31 day of May, 2005.

Peter Rebuffoni
Name


Signature